

MEETINGS TO DATE 6  
NO. OF REGULARS 4  
NO. OF SPECIALS 2

LANCASTER, NEW YORK  
March 6, 1989

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 6th day of March 1989, at 7:00 P.M. and there were

PRESENT: STANLEY JAY KEYS, SUPERVISOR  
RONALD A. CZAPLA, COUNCILMAN  
ROBERT H. GIZA, COUNCILMAN  
DONALD E. KWAK, COUNCILMAN  
JOHN T. MILLER, COUNCILMAN  
DONNA G. STEMPNIAK, PLANNING BOARD CHAIRMAN  
JOHN P. GOBER, PLANNING BOARD MEMBER  
JOHNSTON N. REID, JR. PLANNING BOARD MEMBER  
MELVIN H. SZYMANSKI, PLANNING BOARD MEMBER

ABSENT: ANTHONY FRANJOINE, PLANNING BOARD MEMBER  
GEORGE E. O'NEIL, PLANNING BOARD MEMBER  
MILDRED WHITTAKER, PLANNING BOARD MEMBER

ALSO PRESENT: NANCY M. BINDHAMMER, DEPUTY TOWN CLERK  
NICHOLAS LO CICERO, DEP. TOWN ATTORNEY  
ROBERT L. LANEY, BUILDING INSPECTOR

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of the application of Pine Hill Concrete Mix Corp. for a New York State DEC Permit for a mined land reclamation - Genesee North Pit MLR#9043-30-0046 DRA#9-1402-00555/00001-0.

IN THE MATTER OF THE SEQR REVIEW OF THE APPLICATION OF PINE HILL CONCRETE MIX CORP. FOR A NEW YORK STATE DEC PERMIT FOR MINED LAND RECLAMATION - GENESSEE NORTH PIT

The joint boards then proceeded with the Environmental Assessment on the permit application and reclamation plan matter with an item for item review and discussion of the project impact and magnitude as outlined on a Full Environmental Assessment Form Part 2 which was provided to each member.

File: ZON-SEQR-M (P1)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED  
BY PLANNING BOARD CHAIRMAN STEMPNIAK  
WHO MOVED ITS ADOPTION, SECONDED BY  
COUNCILMAN MILLER, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION**

**PINE HILL CONCRETE MIX CORPORATION-APPLICATION FOR A NEW YORK STATE DEC**  
**PERMIT FOR A MINED LAND RECLAMATION-GENESEE NORTH PIT MLR#2043-20-0046**  
**DB#2-1402-00325/00001-0**

**NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which was a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Nicholas LoCicero, Deputy Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed permit and reclamation area is of a parcel involving approximately 64 acres.

The location of the premises being reviewed is on the north side of Genesee Street in the Town of Lancaster approximately 2000 feet east of Pavement Rd.

**REASONS SUPPORTING DETERMINATION**

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least four (4) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will have small to moderate impact in a physical change to the project site. Although construction will continue for more than 1 year or involve more than one phase or stage, project will have a small to moderate impact. Long zoned for this use, and an extension of nearby sand and gravel pit operations, excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., sand and gravel) per year would have a small to moderate impact. A vote was taken on this matter - 1 voted for potentially large impact as excavation for mining purposes would remove more than 1,000 tons of natural material per year - 8 voted a small to moderate impact in light of existing mining operation in surrounding area.
2. The proposed action will not effect any unique or unusual land forms found on the site.

32X1

3. The proposed action will not affect any water body designated as protected.
4. The proposed action will have a small to moderate affect on any non-protected existing or new body of water, by erecting a future pond.
5. The proposed action will not affect surface or groundwater quality or quantity.
6. The proposed action will have a small to moderate alter of drainage flow patterns or surfact water. All impact will be on site.
7. The proposed action will have a small to moderate affect on air quality. There will be a small to moderate amount of dust expected during actual mining.
8. The proposed action will not affect any threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will have small to moderate affect on agricultural land resourses. The proposed action would irreversibly convert more than more than 2.5 acres of agricultural land in the Agricultural District. However, reclamation plan is included to mitigate impact. Applicant has reclaimed 60 acres of agricultural land in expectation of project.
11. The proposed action will not affect aesthetic resourses. Committee noted applicant's efforts to regrade and seed off site and grandfathered older sand and gravel pits.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontogical importance.
13. The proposed action will have a small to moderate impact on the quantity or quality of existing or future open spaces or recreational opportunities. Project will potentially provide a beneficial increase in wetlands and recreation area.
14. The proposed action will have small to moderate impact on existing transportation systems. Expect 20 trips per hour. Truck traffic now common to adjacent roads; applicant's site on south side of Genesee Street generates similar traffic from other sites.
15. The proposed action will not affect the community's sources of fuel or energy supply.
16. There will be no objectional odors, noise, or vibration as a result of this proposed action.
17. The proposed action will not affect public health and safety. Proposed site within 1000 feet south of closed Lancaster Sanitary Landfill - no impact expected (Thruway intervenes).
18. The proposed action will not affect the character of the existing community.
19. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

March 6, 1989

s/s \_\_\_\_\_  
Stanley Jay Keysa, Supervisor  
Town of Lancaster

File: ZON-SEQR-M (3)

32X1

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is here by authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR KEYSA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN MILLER	VOTED YES
PLANNING BOARD CHAIR. STEMPIAK	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER REID	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

March 6, 1989

ON MOTION DULY MADE BY COUNCILMAN MILLER, SECONDED BY CHAIRMAN STEMPIAK AND CARRIED, by voice vote, the joint meeting was adjourned at 8:00 P.M.

Signed Nancy M. Bindhammer  
Nancy M. Bindhammer, Deputy Town Clerk

File: ZON-SEQR-M (P4)

32X

MEETINGS TO DATE 7  
NO. OF REGULARS 5  
NO. OF SPECIALS 2

LANCASTER, NEW YORK  
MARCH 6, 1989

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 6th day of March 1989 at 8:15 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN  
ROBERT H. GIZA, COUNCILMAN  
DONALD E. KWAK, COUNCILMAN  
JOHN T. MILLER, COUNCILMAN  
STANLEY JAY KEYSA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: NANCY M. BINDHAMMER, DEPUTY TOWN CLERK  
RICHARD J. SHERWOOD, TOWN ATTORNEY  
NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY  
BRUCE SHEARER, TOWN ENGINEER  
ROBERT L. LANEY, BUILDING INSPECTOR

BID OPENING SCHEDULED FOR 8:10 P.M.:

At 8:15 P.M., the Town Board considered sealed proposals for furnishing to the Town of Lancaster refuse and garbage collection within the Town of Lancaster.

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN KWAK, AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed at 8:15 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

BIDDEES

C.I.D. Refuse Service, Inc.  
10860 Olean Road  
Chaffee, New York 14030-9799

BFI Waste Systems  
P.O.Box 2076  
Blasdell, New York 14219

I.W.S. Integrated Waste Systems  
6 Fountain Plaza  
Buffalo, New York 14202

Downing Container Service  
191 Ganson Street  
Buffalo, New York 14203

J & I Disposal  
11372 Main Street  
Clarence, New York 14031

32X1

BID OPENING SCHEDULED FOR 8:10 P.M. (CONT'D.):

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the aforesaid proposals were ordered turned over to the Garbage and Refuse Committee of the Town Board of the Town of Lancaster for examination, tabulation and recommendation.

32X

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town  
Board, held on February 27, 1989, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

March 6, 1989

File: R-MIN (P1)

12X

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK, TO WIT:

WHEREAS, Rensa International Limited, by letter dated February 4, 1989, has notified the Town Clerk that they will be scheduling a tour of the Enviro-Gro Technologies' owned/operated Cobb County ESP facility located in suburban Atlanta, Georgia, and

WHEREAS, Councilmen John T. Miller and Robert H. Giza have indicated an interest in attending this presentation,

NOW, THEREFORE, BE IT

RESOLVED, that JOHN T. MILLER AND ROBERT H. GIZA, Councilmen of the Town of Lancaster, be and hereby are authorized to attend a tour of the Enviro-Gro Technologies' owned/operated Cobb County ESP facility, in suburban Atlanta, Georgia, from April 8th and April 9th, 1989,

BE IT FURTHER

RESOLVED, that expense reimbursement for all ordinary and necessary expenses be authorized, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYS	VOTED	YES

The resolution was thereupon unanimously adopted.

March 6, 1989

File: R-SEM-MTGS (P3)



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER, TO WIT:

WHEREAS, It is the intention of the Town Board of the Town of Lancaster to sponsor a Recreation Program for the Elderly within the geographic area of the Town of Lancaster for the period of April 1, 1989 through March 31, 1990, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation for such program to the New York State Recreation Council for the Elderly, New York State Education Department, Albany, New York, and if approved, to apply subsequently to the State of New York for partial reimbursement of funds to be expended,

NOW, THEREFORE, BE IT

RESOLVED:

That such application to the New York State Recreation Council for the Elderly is in all respects approved and that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Recreation Council for the Elderly, New York State Education Department, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 6, 1989

File: R-STATE-ELD

12X

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, the Lighting Committee of the Town Board of the Town of Lancaster has requested, and the New York State Electric and Gas Corporation has submitted a proposal, dated February 23, 1989, for improvement of street lighting on Walden Avenue, within Consolidated Lighting District No. 1 of the Town of Lancaster, and

WHEREAS, the said Lighting Committee, after investigation, review and consideration has recommended the said installations,

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Electric and Gas Corporation be and is hereby authorized to make the following installations:

**Walden Avenue**

Install 1-5200 lumen HPS lamp @ 93.33 ea. -	\$ 93.33
Install 1 - bracket @ \$21.88 ea. -	21.88
Pole 61, Line 307A	-----
<b>TOTAL ANNUAL INCREASE -</b>	<b>\$115.21</b>

and,

BE IT FURTHER

RESOLVED, that this proposal is made contingent upon the terms and conditions covered in New York State Electric and Gas Corp.'s street lighting filed tariff agreements with the Town of Lancaster, District No. 1.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 6, 1989

File: R-LGHTNG (P1)

12X1

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, after review of Chapter 30, Permit and Application Fees Ordinance of the Code of the Town of Lancaster, deems it in the public interest to repeal §30-17 thereof and enact a new §30-17 in its place.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed repeal of §30-17 of the Permit and Application Fees Ordinance, designated as Chapter 30 of the Code of the Town of Lancaster and enactment of a new §30-17 in place thereof, will be held on the 20th day of March, 1989, at 8:10 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, and that Notice of the time and place of such hearing be published on or before the 9th day of March, 1989, in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

March 6, 1989

12X1

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 27th day of February, 1989, the said Town Board will hold a Public Hearing on the 20th day of March, 1989, at 8:10 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, New York, to hear all persons upon the proposed repeal of §30-17 of the Permit and Application Fees Ordinance, designated Chapter 30 of the Code of the Town, and enactment of a new §30-17 in place thereof, as follows:

CHAPTER 30  
PERMIT AND APPLICATION FEES

- §30-17. Application for Approval of Subdivision.  
An application for submittal of a subdivision plan to the Town Board must be accompanied by an application fee in the following amount:
- A. Subdivision with up to ten (10) lots or units - \$300.00.
  - B. Subdivision with more than ten (10) lots \$300.00 plus an additional \$10.00 for each lot or unit over ten (10) lots or units.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER  
BY: ROBERT P. THILL  
Town Clerk

March 6, 1989

12X

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, the Erie County Legislature has authorized a grant award  
to the Town of Lancaster for Forfeited Proceeds of a Crime, in the amount of  
\$10,000.00, and

WHEREAS, the Town Board desires to enter into an Agreement with the  
County to receive the above mentioned funds under this Grant,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby  
authorizes the Supervisor of the Town of Lancaster to execute an Agreement  
with the County of Erie for funding in the sum of \$10,000.00 under a Forfeited  
Proceeds of Crime Grant Award.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

March 6, 1989

32x1

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, DOUGLAS E. BUGENHAGEN and MARY ANN PLUFF, the contract  
vendees of a parcel of land located on the south side of Genesee Street,  
east of Gunnville Road in the Town of Lancaster have petitioned the Town Board  
of the Town of Lancaster for the rezone of said property from an SA-Suburban  
Agricultural District to an R2-General Residence District, and

WHEREAS, the petition has been referred to the Planning Board of  
the Town of Lancaster for recommendation and report,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of  
the State of New York, a public hearing on the proposed rezone will be held at  
the Town Hall, 21 Central Avenue, Lancaster, New York, on the 20th day of  
March, 1989 at 8:20 o'clock P.M., Local Time, and that Notice of the time and  
place of such hearing be published in the Lancaster Bee, a newspaper of  
general circulation in said Town, and be posted on the Town Bulletin Board,  
and that a copy of such Notice of Hearing be referred to the Erie County  
Department of Planning, pursuant to §239(m) of the General Municipal Law, which  
Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 6, 1989

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 6th day of March, 1989, the said Town Board will hold a Public Hearing on the 20th day of March, 1989 at 8:20 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property, located on the south side of Genesee Street, east of Gunville Road, from an SA-Suburban Agricultural District to an R2-General Residence District:

The property is a section of SBL-94.00-2-15, which measures approximately 125 ft. wide and 250 ft. in depth. It contains approximately 31,250 square feet.

THE LOT begins approximately 360 ft. east of the center of the intersection of Genesee Street and Gunville Road, goes south approximately 250 ft., then goes east approximately 125 ft.; thence north approximately 250 ft.; then west approximately 125 ft. to point of beginning.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
Town Clerk

March 6, 1989

12x1

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby  
ordered paid from their respective accounts:

Claim No. 6636 to Claim No. 6758 Inclusive.

Total amount hereby authorized to be paid:

**\$135,525.02**

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 6, 1989

File: R-CLAIMS

32X1



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER, TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

**CODES:**

(T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to the provisions of Chapter 30-26 of the Code of the Town of Lancaster.

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived.

NO.	CODE	NAME	ADDRESS	STRUCTURE
55		John Ladowski	28 Running Brook Dr	ER. DECK
56	(T)	Centennial Homes	21 Fieldstone La	ER. SIN. DWLG
57	(T)	Woodbridge Const.	10 Deepwood Pl	ER. SIN. DWLG
58	(T)	Sharon Ellis	5204 Genesee St	ER. OFF. AND STORAGE BLDG
59		Susan Martin	5345 Genesee St	ER. POLE BARN
60	(T)	Woodbridge Const.	14 Running Brook Dr	ER. SIN. DWLG

and,

BE IT FURTHER

RESOLVED, that upon the recommendation of the Building Inspector of the Town of Lancaster, Building Permit Application No. 46, issued to Helen K. Fahey, to erect a bridge and a golf course on premises situate at 6161 Genesee Street, be and is hereby authorized, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 6, 1989

File: R-BLDG

32X1

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, the Tax receiver of the Town of Lancaster has requested that a staff member in her office be permitted to attend a 4-day computer training course for the purpose of improving computer skills in that office, and

WHEREAS, the Town Board, after consideration, has determined that this computer training will enhance the related computer efficiency in the Tax Receiver's Office.

NOW, THEREFORE, BE IT

RESOLVED, that ELIZABETH A. STOCK is hereby authorized to attend a 4-day computer training course at a cost not to exceed \$120.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 6, 1989

12x1

Councilman Czaplá requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Town Board has reviewed information directed to it by the Director of Administration and Finance of the Town on various health insurance plans, and

WHEREAS, the Town Board has duly considered the information provided by the aforementioned Director of Administration and Finance and deems it to be in the public interest to cause certain changes in the health insurance coverage presently offered Town employees;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster authorizes the the option to employees to elect coverage from Independent Health as an additional health maintenance organization, and

BE IT FURTHER

RESOLVED, that the Town Board authorizes the addition of the "Plus Blue" rider under the Health Care Plan HMO, as an elective option for town employees.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 6, 1989

**STATUS REPORT ON UNFINISHED BUSINESS:****1. Detention Basin - Milton Drive**

On June 6, 1988, the Town Engineer was directed to expedite this project.

**2. Dumping Permit - Clarence Center General Construction Co.**

On January 27, 1989, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.

**3. Excavating Permit - Amador Construction (Caci Property Site)**

On February 6, 1989, this matter was referred to the Planning Board, Town Engineer, Building Inspector, and Planning Consultant for review and recommendation.

**4. Excavating Permit - Amador Construction (Schaff Property Site)**

On August 23, 1988, this matter was referred to the Planning Board, Town Engineer, Building Inspector, and Planning Consultant for review and recommendation. On September 7, 1988, the Planning Board recommended approval of this permit.

**5. Public Improvement Permit Authorization - Foreststream Village Subdivision, Phase I (Dilapo)**

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Curbs	Yes	Yes	Yes
Floodway	Yes	No	No

**6. Public Improvement Permit Authorization - Indian Pine Village (Fischione Const., Inc.)**

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

**7. Public Improvement Permit Authorization - The Meadows (Giallanza)**

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

**8. Public Improvement Permit Authorization - Pine Tree Farm (Josela - East off Aurora Street)**

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement & Curbs	No	No	No
Storm Sewers	No	No	No
Street Lights	No	No	n/a
Sidewalks	No	n/a	n/a
Detention Basin	No	No	No

**STATUS REPORT ON UNEFINISHED BUSINESS (CONT'D.)****9. Public Improvement Permit Authorization -- Plumb Estates (Galasso)**

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

**10. Public Improvement Permit Authorization -- Plumb Estates South, Phase I (Galasso)**

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

**11. Public Improvement Permit Authorization -- Plumb Estates South, Phase II (Galasso)**

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

**12. Public Improvement Permit Authorization -- Warnerview Estates, Phase I (Donato)**

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

**13. Public Improvement Permit Authorization -- Warnerview Estates, Phase II (Donato)**

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	No	No	n/a
Sidewalks	No	n/a	n/a
Detention Basin	n/a	n/a	n/a

**14. Rezone Petition -- Bugenhagen & Pluff**

On February 7, 1989, the Town Clerk referred this matter to the Planning Board, Planning Consultant, Building Inspector and Town Board for review and recommendation.

**15. State Contract Grant -- 40 Clark Street Museum**

Application for grant has been filed.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D:

16. Subdivision Approval - Lake Forest (Lake Forest Devel. - Off Lake Ave.)  
On January 27, 1989, this matter was referred to the Planning Board, Town Engineer, Building Inspector, Planning Consultant, Highway Superintendent, Police Chief and Twin District Fire Chief for review and recommendation.
17. Subdivision Approval - Meadowland Subdivision (Bosse - Off Redlein Dr.)  
On November 6, 1986, this matter was referred to the Planning Board Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and Town Planning Consultant for review and report.
18. Subdivision Approval - Pine Tree Farm (Josela - Off Aurora St.)  
On June 1, 1988, this matter was referred to the Planning Board, Town Engineer, Building Inspector, Planning Consultant, Highway Superintendent, Police Chief and Twin District Fire Chief for review and recommendation. On June 6, 1988, a SEQR review was held on this matter and a Negative Declaration adopted.
19. Traffic Survey - Genesee Street East of Harris Hill Road  
On May 16, 1988, this matter was referred to the Police Chief for report and recommendation.
20. Zoning Ordinance and Map Update  
On December 12, 1988, the Town Board held a Public Hearing on this matter and reserved decision.
21. Zoning Ordinance Amendment - Campers and Boats  
On March 21, 1988, the Town Board held a public hearing on this matter and reserved decision.

PERSONS ADDRESSING TOWN BOARD:

Karen Walsh, 117 Peppermint Road, commented on Building Permit #46 (construction of Golf Course). She voiced concern that the access road to the proposed golf course will access on Peppermint Road instead of Genesee Street. She also wanted to know who will enforce the weight limit for trucks on Peppermint Road. Town Attorney informed her that the Police Department supervises the weight and speed limits.

Jim Walsh, 117 Peppermint Road, questioned the cost of the proposed bridge and the total cost of the proposed project.

Kim Nuwer, 180 Peppermint Road, questioned the type of proposed access road for the Golf Course and raised concern that the heavy traffic will create a hazardous condition for their children.

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**PERSONS ADDRESSING THE TOWN BOARD CONT'D**

Tim Davis, proposed Golf Course owner, advised residents on proposed access road.

Eric Nuwer, 180 Peppermint Road, questioned the present condition of Peppermint Road. Councilman Miller advised him that the Highway Superintendent with Miller will survey the road condition and width of the road and make a recommendation.

Frank Rago, 177 Peppermint Road, questioned the number of acres of the proposed Golf Course and the access road onto Peppermint Road instead of Genesee Street.

Jim Guenther, 562 Pavement Road, questioned the zoning of the proposed property in question.

Mary Ann Rago, 177 Peppermint Road, questioned the traffic on Peppermint Road in regard to the Golf Course and the safety of her children. Supervisor Keysa advised her that the Highway Superintendent will look at the feasibility of widening Peppermint Road.

Robert Nichter, 151 Peppermint Road, questioned the restrictions of trucks on Peppermint Road. Councilman Czaplak stated that he will take this matter up with Police Committee.

Brian Fahey, Genesee Street Resident, advised residents to watch the traffic on Broadway at the Lancaster Country Club, and that will be the type of traffic they will have. He also assured the residents that they will retain property on Genesee Street. He does feel that the town must seriously consider rebuilding present road to accommodate traffic.

Joe Caci, 61 Nichter Road, questioned status on excavating permit. Supervisor advised resident of rules and regulations on procedures on securing excavating permit.

## COMMUNICATIONS:

## DISPOSITION

238. C.I.D. Refuse Service, Inc. to Town Board - Follow-up questions regarding refuse and garbage bid specs.	R & F
239. Building Inspector to Town Board - Report of Inspections re: Aurora Rd. complaint.	R & F
240. Town Attorney to C.I.D. Refuse Service, Inc. - Response to Inquiry regarding refuse and garbage bid specs.	R & F
241. Building Inspector to Town Board - Monthly report for February 1989.	R & F
242. James/Mary Bolton To Town Board - Concerns re: Genesis rezone petition.	R & F
243. County Dept. of Finance to Receiver of Taxes - Comments relating to tax collections.	R & F
244. Councilman Kwak to Town Board - Report of Association of Towns meeting.	R & F
245. Town Clerk to Supervisor - Monthly report for February 1989.	R & F
246. NYSEG to Town Board - Street lighting proposal for Walden Ave.	RESOLUTION 3/6/89
247. Town residents to Supervisor - Various petitions opposing Thruway toll barrier between Gunville and Ransom Roads.	R & F
248. Assessor to Supervisor - Report of Association of Towns meeting.	R & F
249. Court Clerks to Town Board - Report of Association of Towns meeting.	R & F
250. Receiver of Taxes to Town Board - Report of Association of Towns meeting.	R & F
251. Councilman Giza to Town Board - Report of Association of Towns meeting.	R & F
252. N.Y.S. Div. of Equalization and Assessment to Supervisor - Report of percentage change in equalization rates.	R & F
253. Michael/Mary Ann Tober and M/M Edwin Bratek to Town Board - Opposition to Genesis rezone petition.	R & F
254. Depew Village Clerk to Town Board - Notice of public hearing to be held 3/20/89 re: rezone petition for premises situate at 6267 Transit Rd.	R & F
255. Town Attorney to County Dept. of Environ. Conser. Water Division - Request verification of removal procedure re: diesel fuel spill at 169 Peppermint Rd.	TOWN ATTORNEY BUILDING INSPECTOR
256. Lovell Safety News - Article entitled "OSHA Issues Final Rule On New Procedure Limits".	R & F

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**COMMUNICATIONS CONT'D.****DISPOSITION**

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| 257. Lovell <u>Safety News</u> -<br>Article entitled "OSHA Issues Voluntary<br>Guidelines for Improved Management Practices".  | R & F  |
| 258. D.C.O. to Town Board -<br>Monthly reports for January, February 1989.   | R & F  |
| 259. Receiver of Taxes to Town Board -<br>Request permission to have Elizabeth Stock<br>attend Lotus class at ECC.             | TOWN ATTORNEY FOR<br><u>SUSPENDED RESOLUTION</u>             |
| Supervisor Keysa requested a suspension of the necessary rule for<br>immediate consideration of the following communications - |  |
| 260. Mary Lou Suits to Town Board -<br>Letter opposing Peppermint Rd. rezone.  | R & F  |
| 261. Councilman Miller to Town Board -<br>Report of Association of Towns meeting.  | R & F  |
| 262. Police Chief to Bldg. Inspector and Town Board -<br>Re: Excavation work - 61 Nichter Road.                                | R & F  |
| 263. NECSWMB to Members -<br>Notice of meeting 3/9/89 at West Seneca.  | R & F  |
| 264. Erie County Commissioner to County Mayors and<br>Supervisors -<br>Seeking support - loss of state funds.                  | SUPERVISOR   |
| 265. NYS Thruway Authority to Supervisor -<br>List of alternatives for Expansion/Relocation-<br>Williamsville Toll Barrier.    | SUPERVISOR<br>TOWN ATTORNEY FOR<br><u>RESOLUTION 3/20/89</u> |
| 266. Lancaster residents to Supervisor -<br>Various letters of opposition to toll barrier<br>Gunnville/Ransom Rds.             | R & F  |
| 267. Planning Board Chairman to Town Board -<br>Minutes for meeting 3/1/89.  | R & F  |
| 268. Dir. of Administration and Finance to Town Board<br>Recommendations for Town provided Health<br>Insurance Plans.          | <u>SUSPENDED RESOLUTION</u>                                  |

**ADJOURNMENT**

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD  
AND CARRIED, the meeting was adjourned at 11:15 p.m. out of respect to:

DAWN A. BRUNCK  
PAUL ELSINGHORST  
SOPHIE C. MUSIAL

Signed Nancy M. Bindhammer  
Nancy M. Bindhammer,  
Deputy Town Clerk

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